

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROBERT S. POTTS.,

Plaintiff,

v.

Case No. 2:11-CV-0985

JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE NORAH MCCANN KING

YALE R. LEVY, et al.,

Defendant.

ORDER

This matter is before the Court on Named Plaintiff Robert S. Potts's Motion to Withdraw Motion for Class Certification (Doc. 25), which is unopposed by the Defendants. Defendants recently revealed the number of potential class numbers along with documentation supporting the net worth of the Defendants. The evidence revealed that due to the enormous size of the class and the limited net worth of the Defendants, each class member would be eligible to receive only a small sum of money. Plaintiff believes that class certification would not be in the best interest of the putative class members who have the ability to bring suit individually, and therefore, a class action is no longer superior to other available methods. For good cause shown, Plaintiff's Motion to Withdraw (Doc. 25) is **GRANTED** and Plaintiff's Motion for Class Certification (Doc. 8) is **WITHDRAWN**.

IT IS SO ORDERED.

3-15-2012

DATED



EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE